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## IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF UTAH CENTRAL DIVISION

In re:

CHRISTOPHER MICHAEL JOHN VAN DER STAPPEN CARA DAWN VAN DER STAPPEN

Debtors.

Case No. 10-34397

Chapter 13

Judge R. Kimball Mosier

(Confirmation Hearing: 01/04/11 at 11:00 AM)

## TRUSTEE'S OBJECTION TO EXEMPTION

Pursuant to Fed. R. Bankr. P. 4003(b), Kevin R. Anderson, Standing Chapter 13 Trustee, hereby objects to the exemption claimed in Schedule C on the following grounds:

- 1. The Debtors filed their Chapter 13 petition for relief on 10/18/2010, and the First Meeting of Creditors under § 341 was held on 11/29/10.
  - 2. The Debtors' Schedule B lists an interest in a vacuum valued at \$1,000.
- 3. On Schedule C, Debtors claim the entire amount as exempt under Utah Code Ann. § 78B-5-505(1)(a)(vii)(A).
- 4. Utah Code Ann. § 78B-5-505(1)(a)(vii)(A) allows an exemption in "one: clothes washer and dryer; refrigerator; freezer; stove; microwave oven; and sewing machine."

- 5. The Trustee objects to this exemption because it is does not appear that a vacuum falls in the listed assets of § 78B-5-505(1)(a)(vii)(A).
- 6. WHEREFORE, the Trustee objects to the Debtors' exemption claimed in the vacuum. The Trustee hereby objects to confirmation of the Debtors' plan unless the Debtors amend Schedule C to resolve this objection or file a response to this objection.

DATED: December 1, 2010.

JR/s/
Kevin R. Anderson, Esq.
Standing Chapter 13 Trustee

## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on December 1, 2010, a true and correct copy of the foregoing paper was served electronically via CM/ECF to the persons listed below.

ROBERT S. PAYNE ECF NOTIFICATION

The undersigned hereby certifies that on December 1, 2010, a true and correct copy of the foregoing paper was addressed to the following persons and deposited in the U.S. Mail, first-class postage prepaid.

CHRISTOPHER MICHAEL JOHN VAN DER STAPPEN CARA DAWN VAN DER STAPPEN 4648 FOXWOOD DRIVE EAGLE MOUNTAIN, UT 84005

> /s/ Office Chapter 13 Trustee